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8-19-05

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1647

PTO/SB/21 (6-99)

Approved for use through 09/30/2000, OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/989,729
Filing Date	November 19, 2001
First Named Inventor	AVI ASHKENAZI
Group/Art Unit	1647
Examiner Name	Landsman, Robert S.
Attorney Docket Number	39780-2730P1C59

Total Number of Pages in This Submission

97

## ENCLOSURES (check all that apply)

☒ **Fee Transmittal Form**

☐ Fee Attached

☒ **AMENDMENT / RESPONSE**

☒ After Final

☐ Version With Markings Showing Changes

☐ Affidavits/declaration(s)

☒ **Extension of Time Request**

☐ INFORMATION DISCLOSURE  
STATEMENT WITH FORM PTO-1449

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete  
Application

☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Copy of Notice

☐ DECLARATION

☐ DECLARATION ON INCORPORATION BY  
REFERENCE

☐ AMENDMENT UNDER 37 CFR §1.48(b)

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, by Assignee to  
Exclusion of Inventor Under 37 C.F.R.  
§3.71 With Revocation of Prior Powers

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☒ **Appeal Communication to Group**  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ **ADDITIONAL ENCLOSURE(S)**  
(PLEASE IDENTIFY BELOW):

☒ **EVIDENCE APPENDIX ITEMS A-E;**  
**STAMPED RETURN POSTCARD**

Remarks

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN  
CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2730  
P1C59.**

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRMAN LLP	BARRIE D. GREENE (Reg. No. 46,740)
	275 Middlefield Road, Menlo Park, California 94025	Telephone: (650) 324-7000 Facsimile: (650) 324-0638
Signature		
Date	August 17, 2005	Customer Number: 35489

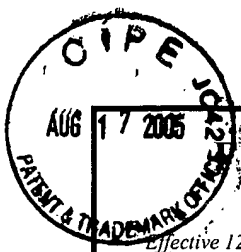
## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: **MAIL STOP APPEAL BRIEFS-PATENTS**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: **August 17, 2005**

Express Mail Label **EL 993 631 369 US**

Typed or printed name	ELENA TORRES		
Signature		Date	August 17, 2005

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<b>FREE TRANSMITTAL</b> <b>for FY 2005</b> <i>Effective 12/08/2004. Patent fees are subject to annual revision.</i>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 2,660.00

<b>Complete if Known</b>	
Application Number	09/989,729
Filing Date	November 19, 2001
First Named Inventor	Ashkenazi, et al.
Examiner Name	Landsman, Robert S.
Art Unit	1647
Attorney Docket No.	39780-2730P1C59

<b>METHOD OF PAYMENT (check one)</b>	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 08-1641 (Docket No. 39780-2730P1C59) Deposit Account Name: Heller Ehrman LLP	
The Commissioner is authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments	
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

<b>FEE CALCULATION</b>					
<b>1. BASIC FILING FEE</b>					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>					
Total Claims		Extra Claims		Fee from below	Fee Paid
Independent Claims		-20** =		x	=
Multiple Dependent		-3** =		x	= 0
					= 0
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	**Reissue independent claims over original patent	
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$)</b>
**or number previously paid, if greater; For Reissues, see above					

<b>FEE CALCULATION (continued)</b>					
<b>3. ADDITIONAL FEES</b>					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	2,160.00
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	500.00
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460		1460		Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid					<b>SUBTOTAL (3)</b> (\$2,660.00)

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Barrie D. Greene	Registration No. (Attorney/Agent)	46,740
Signature	<i>Barrie D. Greene</i>	Date	AUGUST 17, 2005
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		Customer No.	35489